IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

MARISSA L. SWOPE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 6:21-cv-03123-WJE
	)	
KILOLO KIJAKAZI,	)	
Acting Commissioner of Social Security	)	
	)	
Defendant.	)	

ORDER

On January 13, 2022, Plaintiff, by attorney Kelsey Young, filed a motion for an award of attorney fees under the Equal Access to Justice Act (the "EAJA"), 28 U.S.C. § 2412. (Doc. 15). The Acting Commissioner responded to the pending motion for attorney fees and states that the Government does not object to the award.[1] (Doc. 16).

Under the EAJA, a prevailing party in an action brought against the United States shall be awarded attorney fees unless the position of the United States was "substantially justified" or special circumstances make an award unjust. 28 U.S.C. § 2412(d)(1)(a). Plaintiff was a prevailing party in this action, an award is appropriate, and the amount of fees agreed to by the parties is reasonable.

THEREFORE, IT IS ORDERED that the motion of plaintiff Marissa L. Swope for an award of attorney fees under the EAJA in the amount of $4,551.00 is granted (Doc. 15). It is further

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[1] In accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010), the EAJA fee is payable to plaintiff as the litigant and may be subject to offset to satisfy any pre-existing debt the litigant may owe to the United States.

ORDERED that an award of attorney fees is to be paid by the Social Security Administration. It is further

ORDERED that, because Plaintiff has assigned any fee award to his attorney, the Social Security Administration shall pay the award of attorney fees in the amount of $4,551.00, less any offsets for federal debts owed by Plaintiff, to Plaintiff's attorneys, Parmele Law Firm, P.C. *See Astrue v. Ratliff*, 560 U.S. 586, 597 (2010).

Dated this 26th day of January, 2022, at Jefferson City, Missouri.

Willie J. Epps, Jr.

Willie J. Epps, Jr.
United States Magistrate Judge